

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

James L. Fishburne,

Plaintiff,

v.

Michael J. Astrue, Commissioner
of Social Security,

Defendant.

C/A No.: 2:06-cv-01226-RBH

ORDER

On July 15, 2008, the plaintiff filed a motion for attorney's fees pursuant to section 206(b) of the Social Security Act, 42 U.S.C. § 406(b). The defendant does not oppose the motion. Based on the foregoing and after considering the briefs and materials submitted by the parties, the court orders the defendant to pay the plaintiff's attorney the sum of \$22,190.00 in attorney's fees.

Plaintiff's counsel shall refund to the plaintiff the total amount of fees previously awarded under EAJA (\$6246.00) immediately after she receives the payment of the § 406(b) fees.

IT IS SO ORDERED.

s/ R. Bryan Harwell

R. Bryan Harwell

United States District Judge

August 5, 2008
Florence, South Carolina